



SAILE & SAILE LLP
ATTORNEYS AT LAW

Penalties Pursuant to the New DUI Laws*

	1 st Offense	2 nd Offense	3 rd Offense	Subsequent Offense(s)
General Impairment Penalties <ul style="list-style-type: none"> ▪ §3802(a) ▪ BAC of .08% to .099% ▪ individuals incapable of safe driving 	<ul style="list-style-type: none"> ▪ Ungraded misdemeanor ▪ No license suspension ▪ <u>Up to 6 months probation</u> ▪ <u>\$300 fine</u> ▪ <u>Alcohol hwy. safety school</u> ▪ Treatment when ordered ▪ No Ignition Interlock ▪ ARD eligible ▪ <u>CRN evaluation</u> 	<ul style="list-style-type: none"> ▪ Ungraded misdemeanor ▪ <u>1 yr. license suspension</u> ▪ <u>5 days to 6 mos. prison</u> ▪ <u>\$300-\$2,500 fine</u> ▪ <u>Alcohol hwy. safety school</u> ▪ <u>CRN evaluation</u> ▪ Treatment when ordered ▪ <u>1 yr. Ignition Interlock</u> ▪ House arrest/work release eligible 	<ul style="list-style-type: none"> ▪ 2nd degree misdemeanor ▪ <u>1 yr. license suspension</u> ▪ <u>10 days to 2 yrs. prison</u> ▪ <u>\$500 - \$5,000 fine</u> ▪ <u>CRN evaluation</u> ▪ Treatment when ordered ▪ <u>1 yr. Ignition Interlock</u> ▪ House arrest/work release eligible 	<ul style="list-style-type: none"> ▪ 2nd degree misdemeanor ▪ <u>1 yr. license suspension</u> ▪ <u>10 days to 2 yrs. prison</u> ▪ <u>\$500 - \$5,000 fine</u> ▪ <u>CRN evaluation</u> ▪ Treatment when ordered ▪ <u>1 yr. Ignition Interlock</u> ▪ <u>Work release</u> eligible
High rate of Alcohol <ul style="list-style-type: none"> ▪ §3802(b) ▪ BAC of .10% to .159% ▪ Minors with .02% BAC ▪ CDL drivers with .04% BAC ▪ School bus/vehicle drivers with .04% BAC 	<ul style="list-style-type: none"> ▪ Ungraded misdemeanor ▪ <u>1 yr. license suspension</u> ▪ <u>48 hours to 6 mos. prison</u> ▪ <u>\$500 - \$5,000 fine</u> ▪ <u>Alcohol hwy. safety school</u> ▪ <u>CRN evaluation</u> ▪ Treatment when ordered ▪ No Ignition Interlock ▪ House arrest/work release eligible ▪ ARD eligible 	<ul style="list-style-type: none"> ▪ Ungraded misdemeanor ▪ <u>1 yr. license suspension</u> ▪ <u>30 days to 6 mos. prison</u> ▪ <u>\$750-\$5,000 fine</u> ▪ <u>Alcohol hwy. safety school</u> ▪ <u>CRN evaluation</u> ▪ Treatment when ordered ▪ <u>1 yr. Ignition Interlock</u> ▪ House arrest/work release eligible 	<ul style="list-style-type: none"> ▪ 1st degree misdemeanor ▪ <u>18 mos. license suspension</u> ▪ <u>90 days to 5 yrs. prison</u> ▪ <u>\$1,500 - \$10,000 fine</u> ▪ <u>Alcohol hwy. safety school</u> ▪ <u>CRN evaluation</u> ▪ Treatment when ordered ▪ <u>1 yr. Ignition Interlock</u> ▪ House arrest/work release eligible 	<ul style="list-style-type: none"> ▪ 1st degree misdemeanor ▪ <u>18 mos. license suspension</u> ▪ <u>1 yr to 5 yrs. prison</u> ▪ <u>\$1,500-\$10,000 fine</u> ▪ <u>CRN evaluation</u> ▪ Treatment when ordered ▪ <u>1 yr. Ignition Interlock</u> ▪ <u>Work release</u> eligible
Highest rate of Alcohol <ul style="list-style-type: none"> ▪ §3802(c) ▪ BAC of .16% and above ▪ Minimum levels of controlled substances in blood ▪ Individuals who refused chemical tests 	<ul style="list-style-type: none"> ▪ Ungraded misdemeanor ▪ <u>1 yr. license suspension</u> ▪ <u>72 hours to 6 mos. prison</u> ▪ <u>\$1,000 - \$5,000 fine</u> ▪ <u>Alcohol hwy. safety school</u> ▪ <u>CRN evaluation</u> ▪ Treatment when ordered ▪ ARD eligible ▪ House arrest/work release eligible 	<ul style="list-style-type: none"> ▪ 1st degree misdemeanor ▪ <u>18 mos. license suspension</u> ▪ <u>90 days to 5 yrs. prison</u> ▪ <u>Minimum \$1,500 fine</u> ▪ <u>Alcohol hwy. safety school</u> ▪ <u>CRN evaluation</u> ▪ Treatment when ordered ▪ <u>1 yr. Ignition Interlock</u> ▪ House arrest/work release eligible 	<ul style="list-style-type: none"> ▪ 1st degree misdemeanor ▪ <u>18 mos. license suspension</u> ▪ <u>1-5 yrs. prison</u> ▪ <u>Minimum \$2,500 fine</u> ▪ <u>CRN evaluation</u> ▪ Treatment when ordered ▪ <u>1 yr. Ignition Interlock</u> ▪ House arrest/work release eligible 	<ul style="list-style-type: none"> ▪ 1st degree misdemeanor ▪ <u>18 mos. license suspension</u> ▪ <u>1 - 5 yrs. prison</u> ▪ <u>Minimum \$2,500 fine</u> ▪ <u>CRN evaluation</u> ▪ Treatment when ordered ▪ <u>1 yr. Ignition Interlock</u> ▪ Work release eligible

*Underlined penalties are mandatory.